

EXHIBIT H

1 Rough Ascii - W. Webb - Not a Final

2 The Phillies

V.

3 Harrison/Erickson, Incorporated, et al.

4 DATE: March 11, 2020

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ROUGH TRANSCRIPT

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2 THE VIDEOGRAPHER: This is the start
3 of Tape Labeled Number 1 in the videotaped
4 deposition of William Webb in the matter of
5 The Phillies, et al. v. Harrison/Erickson,
6 Inc., et al. in the United States District
7 Court for the Southern District of New
8 York, Civil Action Number 1:19-07239.

9 This deposition is being held at
10 30 South 17th Street, Philadelphia,
11 Pennsylvania on March 11th, 2020 at
12 approximately 9:27.

13 My name is Adolph Green from TSG
14 Reporting, Inc. and I'm the legal video
15 specialist. The court reporter today is
16 Debra Lyons in association with TSG
17 Reporting.

18 Would counsel, please, voice
19 identify themselves.

20 MR. WOLFSOHN: David Wolfsohn, Duane
21 Morris, for Plaintiff, The Phillies.

22 MR. MONTCLARE: Paul Montclare,
23 Mitchell Silberberg & Knupp for Harrison
24 Erickson, Defendants.

25 MR. LICHTMAN: Leo Lichtman, also

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2 for Defendants.

3 MR. WILLIAMS: Matthew Williams,
4 also for Defendants.

5 THE VIDEOGRAPHER: Will the court
6 reporter, please, swear in the witness.

7 - - -

8 William Y. Webb, having been first
9 duly sworn, was examined and testified as
10 follows:

11 - - -

12 EXAMINATION

13 BY MR. MONTCLARE:

14 Q. Good morning, Mr. Webb. How are
15 you?

16 A. Good morning.

17 Q. You're an attorney; correct?

18 A. Yeah -- no, I'm not. I was an
19 attorney.

20 Q. Okay. When did you first start
21 practicing law?

22 A. In 1961.

23 Q. Okay. And could you just very
24 briefly go through your career as an attorney
25 to the time you stopped practicing?

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2 you from answering the questions fully today?

3 A. That's not insulting at all, and
4 no.

5 Q. Thank you.

6 Earlier on we talked about you
7 reviewing some documents. One was the -- your
8 handwritten corrections that we went over
9 already.

10 What other documents did
11 Mr. Wolfsohn show you that refreshed your
12 recollection?

13 MR. WOLFSOHN: You can answer the
14 question.

15 THE WITNESS: I can. I'll direct it
16 to you. That's the only one I recall
17 spending any time on. I don't know if
18 there was anything else.

19 BY MR. MONTCLARE:

20 Q. I think you -- you originally
21 testified that you thought that there were
22 perhaps four documents. Do you -- do you
23 remember that testimony?

24 A. Four documents. I don't --
25 honestly, I don't know why I said that.

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2 Q. So is it -- is it your testimony
3 now that you only recall looking at one
4 document with Mr. Wolfsohn?

5 A. I'm not sure I didn't look at
6 others, but that's the one that I remember
7 working on that refreshed my memory.

8 Q. Okay. Did you look at any other
9 documents?

10 A. I hate to say this 'cause this was
11 only last week, but I don't remember -- I
12 think there were more documents on the table.
13 He had his whole file with him and I, you
14 know, I don't recall whether he said, "Look at
15 this. Look at that." The one thing that we
16 looked at was the document that I think was
17 Number 1, the signed agreement.

18 Q. The signed 1984 agreement?

19 A. Yeah.

20 Q. We looked at the subpoena earlier
21 on, which is the first document we marked in
22 this deposition today. And you mentioned that
23 you hadn't seen it before and you hadn't seen
24 the document request before.

25 Putting aside the subpoena for a

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2 minute. Have you ever been asked to look for
3 files in connection with this case by anyone?

4 A. I think Mr. Wolfsohn asked me
5 whether I had any records relating to the
6 case, and I said I didn't have any records
7 relating to The Phillies, let alone something
8 that happened in 1984.

9 There's one exception to that, and
10 that was the minutes of the last meeting of
11 the ownership that I attended.

12 Q. And I assume that had nothing to
13 do with this case.

14 A. No.

15 Q. And hopefully it gave you the
16 congratulations that was due you.

17 A. It was a nice event.

18 Q. Okay. Were you familiar with a
19 litigation that was commenced by Harrison
20 Erickson against The Phillies in 1979?

21 A. I don't think so at the time. I
22 certainly didn't remember it. Mr. Wolfsohn
23 did --

24 MR. WOLFSOHN: Well --

25 THE WITNESS: -- tell me there had

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2 been such.

3 MR. WOLFSOHN: -- I'm going to

4 instruct --

5 THE WITNESS: I'm sorry.

6 MR. WOLFSOHN: Don't reveal our

7 communications.

8 THE WITNESS: I'm sorry.

9 MR. WOLFSOHN: What he -- what he

10 wants to know is were you aware of it or

11 were you aware of it at the time.

12 THE WITNESS: I apologize. No, I

13 was not aware of it.

14 BY MR. MONTCLARE:

15 Q. Did mist -- did Mr. Wolfsohn show

16 you the Complaint or any other documents?

17 MR. WOLFSOHN: Instruct you not to

18 answer. I mean, you know the --

19 (Instruction.)

20 MR. MONTCLARE: It's a foundation

21 question for asking if it --

22 MR. WOLFSOHN: No.

23 MR. MONTCLARE: -- refreshed his

24 recollection.

25 MR. WOLFSOHN: No. You can't

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2 add no future infringement?

3 A. Yes.

4 MR. MONTCLARE: Objection --

5 THE WITNESS: Yes.

6 MR. MONTCLARE: -- as to form, lacks

7 foundation.

8 BY MR. WOLFSOHN:

9 Q. Going back to the note the -- the
10 second printed page of Exhibit D-83 that has
11 the two asterisks, you wrote, [as read]:

12 "Real problem is economic. For 210 they view
13 their retention of rights."

14 Who does the "they" refer to?

15 A. Harrison and Erickson.

16 Q. Okay. Okay. Let's just look at
17 the subpoena. Looks like this and it's
18 Exhibit Defendant's 80.

19 A. This?

20 Q. Yes.

21 A. Okay.

22 Q. If you could just turn to the last
23 page which is headed Document Demands?

24 A. Yeah.

25 Q. Do you have any documents or have

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2 you had in the last year any documents

3 described in Paragraph 1?

4 A. Well, I've already testified that
5 I have none other than the set of the minutes
6 but let me read it again to be absolutely
7 certain.

8 Q. Thank you. Yeah.

9 A. (Reviewing document.)

10 No, I -- none.

11 Q. Same questions for 2, 3, 4, 5, 6,
12 7, and 8, so if you would, review those.

13 A. No, I've read them all.

14 Q. Okay.

15 A. Yeah.

16 Q. So with respect to Document
17 Demands 1 through 8, do you -- or have you had
18 any documents described in those demands in
19 the last year?

20 A. No.

21 MR. WOLFSOHN: Thank you. That's
22 all I have.

23 MR. MONTCLARE: Just a few
24 follow-ups.

25 EXAMINATION